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and purchasers appeal. Reversed and annulled, and petition dismissed.

M. G. Mason, of Sussex Courthouse, and *Wm. B. Cocke*, of Stony Creek, for appellants.

Robert W. Arnold, of Waverly, and *J. Gordon Bohannon*, of Petersburg, for appellee.

BOARD OF SUP'RS OF PRINCE WILLIAM COUNTY et al. v.
MANUEL et al.

March 16, 1916.

[88 S. E. 54.]

1. Highways (§ 115*)—County Commissioners—Liability of.—Where the superintendent of roads under the orders of the board of supervisors to work a road invaded complainants' premises, attempting to forcibly widen the road, the board of supervisors is not liable, although the superintendent is liable.

[Ed. Note.—For other cases, see Highways, Cent. Dig. §§ 358-370, 372, 373; Dec. Dig. § 115.* 12 Va.-W. Va. Enc. Dig. 930.]

2. Damages (§ 138*)—Injury to Property—Excessive Recovery.—Where the superintendent of roads, in arbitrarily attempting to widen a highway, uprooted over 100 ancient ornamental cedar trees, which defined the boundary of complainants' land, destroyed their old worm fence, and made extensive excavations on their land, an award of \$225 is not excessive.

[Ed. Note.—For other cases, see Damages, Cent. Dig. §§ 397, 398; Dec. Dig. § 138.* 4 Va.-W. Va. Enc. Dig. 202.]

3. Highways (§ 14*)—Title to Highways—Prescription.—While title to a road may be acquired by the public by prescription, the right rests on usage, so the public acquires title only to land used for road purposes for the prescriptive period.

[Ed. Note.—For other cases, see Highways, Cent. Dig. § 21; Dec. Dig. § 14.* 12 Va.-W. Va. Enc. Dig. 862.]

Appeal from Circuit Court, Prince William County.

Bill by Emma Manuel and another against the Board of Supervisors of Prince William County and other individual defendants. From a decree for complainants against the individual defendants, they appeal, and complainants assign cross-errors. Amended and affirmed.

Thos. H. Lion, of Manassas, for appellant.

H. Thornton Davies and *R. A. Hutchison*, both of Manassas, for appellees.

*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.